

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-2, 5-11, 14-21, 24-27 and 30-32 are pending in the application. Claims 1, 5, 10, 20 and 26 are amended; and Claims 3-4, 12-13, 22-23 and 28-29 are canceled by the present amendment. Support for the amended claims can be found in the original specification, claims and drawings.¹ No new matter is presented.

This amendment is submitted in accordance with 37 C.F.R. § 1.116, which after final rejection permits entering of amendments canceling claims, complying with any requirement of form expressly set forth in a previous Office Action or presenting the rejected claims in better form for consideration on appeal. The present amendment incorporates dependent Claims 3-4, 12-13, 22-23 and 28-29 into independent Claims 1, 10, 20 and 26, respectively, thus presenting the rejected claims in better form for consideration on appeal. As the features incorporated into the pending independent Claims were addressed in previous Official Actions, this amendment does not raise new issues requiring further consideration and/or search. It is therefore respectfully requested that the present amendment be entered under 37 C.F.R. § 1.116.

In the outstanding Official Action, Claims 1-32 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent Publication No. 2003/0200216 to Hayes et al. (hereinafter "Hayes").

In response to the above-noted rejection, independent Claims 1, 10, 20 and 26 are amended to incorporate the subject matter of dependent Claims 3-4, 12-13, 22-23 and 28-29, respectively. Applicants respectfully submit that Hayes fails to teach or

¹ Independent Claims 1, 10, 20 and 26 are amended to incorporate the subject matter of dependent Claims 3-4, 12-13, 22-23 and 28-29, respectively.

suggest the features recited in these dependent claims that are incorporated into independent Claims 1, 10, 20 and 26.

Amended independent Claim 1 relates to an information service method. The method includes a step of recording identification information unique to a non-recordable data recording medium to the data recording medium. The identification information and management information corresponding to the data recording medium are then correlatively stored at a management server. The identification information is read from the data recording medium when data is reproduced from the data recording medium, and the identification information read from the data recording medium is transmitted to a communication network. A management server receives the transmitted identification information and reads the management information correlated with the received identification information. The management information is then provided, and content data is reproduced on the data recording medium in accordance with provided management information.

Further, independent Claim 1 is amended to recite, in part, an information service method, comprising the steps of:

... reproducing the content data on the data recording medium in accordance with the provided management information,
wherein the management information contains ***use limit information*** that represents a license of a user for content data recorded on the data recording medium, and
the use limit information contains at least one of the number of times the content data recorded on the data recording medium can be reproduced, the reproduction expiration date and time, and the number of times the content data recorded on the data recording medium can be copied.

Independent Claims 10, 20 and 26, while directed to alternative embodiments, are amended to recite substantially similar features. Thus, the arguments presented below are applicable to each of independent Claims 1, 10, 20 and 26.

As previously noted, the claimed configuration allows for management information to be stored in a management server and correlated with identification information corresponding to a data recording medium. When a user attempts to reproduce data from the recording medium, the identification information is read and transmitted to the management server where it is associated with management information. This management information is then provided to the content reproducing device, which reproduces content in accordance with the received management information.²

Turning to the applied reference, Hayes describes a method and system for identification of music industry releases and licenses that includes a memory for storing data structure comprising release identifier information relating to identification, validation, authorization, and/or use of data associated with releases and intellectual property rights associated with the releases.³ As noted at paragraph [0078], Hayes' system is used for standardizing information associated with music rights to more accurately facilitate the exchange of information between music rights societies and record companies.

Hayes, however, fails to teach or suggest a system in which management information is provided to a user and data is reproduced in accordance with the provided management information, wherein the management data includes *use limit information* containing "at least one of the number of times the content data recorded

² e.g., specification, Fig. 9.

³ Hayes, Abstract.

on a data recorded medium can be produced, the reproduction expiration date and time ...,” as recited in amended independent Claim 1.

In addressing these features as previously recited in dependent Claims 3 and 4, for example, the outstanding Official Action relies on paragraphs [0043], [0125], [0131], [0142] of Hayes. However, these cited portions of Hayes describe how metadata associated with the music content is organized and may be accessed to exchange information between different music rights societies and record companies. Hayes is not directed to providing management data to the user of a recording medium, whatsoever, and further fails to teach or suggest providing management data including use limit information, as recited in independent Claim 1.

Specifically, paragraph [0043] of Hayes describes a method for managing identification information and description data of at least one release by determining the contents of the release and obtaining at least one release identifier associated with the release. However, at no point in this cited portion of Hayes is *use limit information* discussed, whatsoever. Paragraph [0125] of Hayes describes a metadata structure used for exchanging usage quantity information and time period of the usage content between music right societies and companies by standardizing such information so that a royalty amount can be calculated. However, the cited portion Hayes fails to teach or suggest providing management information based on identification information sent when the data on the recording medium is reproduced much less that the management information associated with the data is *use limit information that represents a license of a user* that provides limits on reproduction, reproduction expiration time and data, and the number of times the content data recorded on the data recording medium can be copied. Instead, this cited portion of Hayes simply describes a standardized metadata format that allows for the exchange

of usage quantity, usage time frames and royalty and territory information between a plurality of parties sharing the rights to the music information.

Similarly, paragraph [0131] of Hayes describes parameters such as the price and usage data associated with the music content which is exchanged between a music rights society and a music company. As noted above, such information is not provided as management information in response to the reproduction of data and the transmission of unique information stored on the recording medium, as recited in amended independent Claim 1. Additionally, paragraph [0142] of Hayes describes a license and identifies licensing terms under which a release of music content is being made. The license has a unique ID and contains the details of the licensee and licensor along with a classification that defines the operational nature of the license scheme associated with the license. Thus, this portion of Hayes describes the nature of the license which is agreed upon between the music society and the music company to allow for an exchange of rights between the two entities.

Therefore, as discussed above, Hayes is directed to standardizing license information exchanged between a music rights society and a record company, and is not directed to providing management information to a user upon the reproduction of data stored in a recording medium. Specifically, Hayes fails to teach or suggest providing management information containing *use limit information* based on the reproduction of data at a recording medium, wherein the use limit information contains “*at least one of the number of times the content data recorded on the data recorded medium can be produced, the reproduction expiration date and time, and the number of times the content data recorded on the data recording medium can be copied*” as recited in amended independent Claim 1.

Further, in addressing features recited in independent Claim 1, the outstanding Official Action also relies on [0023], [0025], [0026], [0028] and [0030] of Hayes. However, Applicants wish to note that this embodiment is a summary of U.S. Patent No. 6,499,106, and does not relate to the exchange of metadata between licensing entities as noted at paragraph [0032] of Hayes. An attempt to incorporate the teachings of the '106 patent to the management data method described by Hayes would be impracticable since the amount of metadata stored in Hayes is significant and of no use to the user. Further, the embodiments disclosed by Hayes are directed to exchanging large amounts of standardized format metadata between licensing entities and not providing use limit information to a user.

Accordingly, Hayes, fails to teach or suggest the above-noted features recited in amended independent Claim 1, and Applicants respectfully request that the rejection of Claim 1 (and the claims that depend therefrom) under 35 U.S.C. § 102 be withdrawn. For substantially similar reasons, it is also submitted that amended independent Claims 10, 20 and 26 (and the claims that depend therefrom) patentably define over Hayes.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1-2, 5-11, 14-21, 24-27 and 30-32 is patentably distinguishing over the applied references. The

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present application is therefore believed to be in condition for formal allowance and
an early and favorable reconsideration of the application is therefore requested.

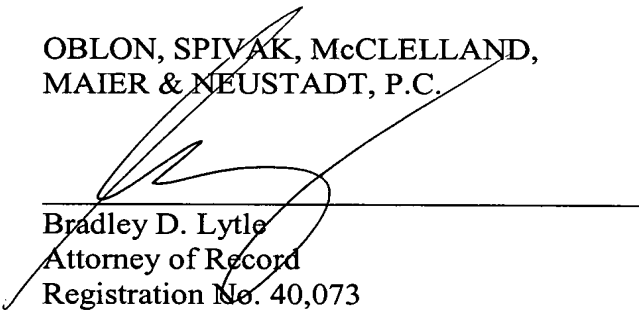
Respectfully submitted,

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